

**RULES
OF
DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES**

**CHAPTER 0940-5-34
MENTAL HEALTH VOCATIONAL PROGRAMS**

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0940-5-34-01 DEFINITIONS.

- (1) “Vocational Program” means a program whose primary purpose is to provide services or activities that facilitate an adult service recipient to work at a job or training site of their choice. These services can be facility based or non facility based and include but are not limited to: supported employment, psychosocial rehabilitation, pre-vocational work units, vocational work assessments, job readiness training, and enclaves.
- (2) “Supported Employment” means a range of services to assist consumers to prepare for, obtain, and maintain employment. This service also includes a variety of support services to the consumer, including side-by-side support on the job. These services may be integrated into a psychosocial rehabilitation center.
- (3) “Enclave” means a work unit provided by a licensed vocational program consisting of two (2) or more service recipients with a severe and/or persistent mental illness working in normal, competitive work setting. The setting focuses on assessment, training and work experience with pay.

Authority: T.C.A. §§4-4-103, 4-5-202, 4-5-204, 33-1-302, 33-1-305, 33-1-309, 33-2-301, and 33-2-302.
Administrative History: Original rule filed December 18, 2002; effective March 3, 2003.

0940-5-34-02 APPLICATION OF RULES FOR MENTAL HEALTH VOCATIONAL PROGRAM.

- (1) The governing body of a vocational program must comply with the following rules:
 - (a) Rule 0940-5-4-.02 (2) Life Safety Business or Industrial Occupancy
 - (b) Chapter 0940-5-5 Adequacy of Facility Environment and Ancillary Services
 - (c) Chapter 0940-5-6 Minimum Program Requirements for All Mental Health Services (new rules to be files)
 - (d) Chapter 0940-5-34 Minimum Program Requirements for Mental Health Vocational Program

Authority: T.C.A. §§4-4-103, 4-5-202, 4-5-204, 33-1-302, 33-1-305, 33-1-309, 33-2-301, and 33-2-302.
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0940-5-34-03 PERSONNEL REQUIREMENTS.

- (1) The program services must have on staff or have available on a consultative basis both a Tennessee licensed mental health professional and an individual with demonstrated skill in the vocational areas provided by the program.

(Rule 0940-5-34.03, continued)

- (2) A facility based program must have sufficient staff persons on duty to provide adequate supervision of the scheduled activities with a minimum staff-to-service recipient ratio of 1:20. Staff persons counted in the staff-to-service recipient ratio may only be persons who are assigned to provide direct services as described by written job description. Support staff such as clerical, housekeeping, van and bus driver staff; students involved in an on-site practicum for academic credit, and volunteers, may not be counted in the staff-to-recipient ratio.
- (3) The facility must provide at least one on duty staff person trained in first aid and the Heimlich maneuver.
- (4) All staff, within three (3) months of hire, must acquire knowledge and competency appropriate to groups served. Training topics must include but not be limited to the following:
 - (a) Principles of job development, supported employment, and psychological rehabilitation
 - (b) Vocational and work assessment
 - (c) Value to work
 - 1. Employer support
 - 2. Assuming and utilizing natural support system at a work site
 - 3. Work culture
 - 4. Americans with Disability Act
 - 5. Rights of service recipients with mental illness regarding work
 - 6. Community support systems, community based services and systems of care, community resources and linkages with these resources
 - 7. Cultural diversity
 - 8. Behavioral characteristics of service recipients with mental illness
 - 9. Stress management skills for vocational workers
 - 10. Data management and record keeping
 - 11. Agency policies and procedures
 - 12. Psychiatric medications and their side effects
 - 13. Fire safety

Authority: T.C.A. §§4-4-103, 4-5-202, 4-5-204, 33-1-302, 33-1-305, 33-1-309, 33-2-301, and 33-2-302.

Administrative History: Original rule filed December 18, 2002; effective March 3, 2003.

0940-5-34.04 INDIVIDUAL ASSESSMENT REQUIREMENTS.

- (1) The program must ensure that the following assessments are completed prior to the development of the Plan of Care and are maintained in the service recipient's record.
 - (a) Living arrangements

(Rule 0940-5-34-.04, continued)

- (b) Vocational/Educational
 - (c) Social supports
 - (d) Financial
 - (e) Basic medical history and current health information
 - (f) Leisure/Recreational
 - (g) Emotional/Behavioral health
 - (h) Transportation
 - (i) Medications
 - (j) History of prior mental health and alcohol and drug treatment episodes
- (2) Assessments must be completed in face to face session(s) with the service recipient and document how they effect the Plan of Care.

Authority: T.C.A. §§4-4-103, 4-5-202, 4-5-204, 33-1-302, 33-1-305, 33-1-309, 33-2-301, and 33-2-302.

Administrative History: Original rule filed December 18, 2002; effective March 3, 2003.

0940-5-34-.05 INDIVIDUAL PLAN OF CARE REQUIREMENTS.

- (1) A Plan of Care must be developed for each service recipient. The plan must be based on initial and on-going assessment of needs and strengths and must be completed within fourteen (14) days of admission into the vocational program. Documentation of the plan must be made in the service recipient's record and must include the following:
- (a) Service recipient's name.
 - (b) Date of plan of care development.
 - (c) Needs and strengths of the service recipient that are to be addressed within the particular service/program component.
 - (d) Observable and measurable service recipient long and short-term goals that are related to specific needs identified and which are to be addressed by the particular service/program component.
 - (e) Interventions that address specific goals and objectives, identify staff responsible for interventions, and planned frequency of contact.
 - (f) Signature(s) of the staff who develop the plan and the primary staff responsible for its implementation.
 - (g) Signature of service recipient (and/or conservator, legal guardian, or attorney in-fact). Reasons for refusal to sign and/or inability to participate in the Plan of Care development must be documented.
- (2) The Plan of Care must be reviewed by program staff and the service recipient within three months of the initial development of the Plan of Care. The second review must take place within six months after

(Rule 0940-5-34-.05, continued)

the development of the Plan of Care, and every six months thereafter. The review must include the following documentation:

- (a) Dated signature(s) of appropriate staff; and
- (b) An assessment of progress toward each goal and/or objective with revisions as indicated.

Authority: T.C.A. §§4-4-103, 4-5-202, 4-5-204, 33-1-302, 33-1-305, 33-1-309, 33-2-301, and 33-2-302.
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0940-5-34-.06 INDIVIDUAL RECORD REQUIREMENTS.

- (1) The service recipient record for each service recipient must contain the following information:
 - (a) Record of attendance at program services;
 - (b) Discharge summary which states, if appropriate, service recipient condition at the time of discharge and signature of staff person preparing the summary.
 - (c) Progress notes which must include written documentation of progress and changes which have occurred within the Plan of Care and, at a minimum must be developed on a weekly basis. Progress notes must be dated and minimally include the signature, with title or degree, of the person preparing the note

Authority: T.C.A. §§4-4-103, 4-5-202, 4-5-204, 33-1-302, 33-1-305, 33-1-309, 33-2-301, and 33-2-302.
Administrative History: Original rule filed December 18, 2002; effective March 3, 2003.

0940-5-34-.07 ADDITIONAL ENVIRONMENTAL REQUIREMENTS.

- (1) If different therapeutic and/or vocational/educational training activities are to be conducted at the same time, the facility must have separate areas for each activity.
- (2) Each skills-training area must contain and have readily available equipment and supplies which are appropriate and necessary to conducting skills-training activities.

Authority: T.C.A. §§4-4-103, 4-5-202, 4-5-204, 33-1-302, 33-1-305, 33-1-309, 33-2-301, and 33-2-302.
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